

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOHN D. CERQUEIRA,

Plaintiff,

v.

Civil Action No: 05-11652-WGY

AMERICAN AIRLINES, INC.,

Defendant.

**PLAINTIFF JOHN D. CERQUEIRA'S  
MOTION FOR ATTORNEYS' FEES AND COSTS**

Pursuant to 42 U.S.C. § 1988, Mass. Gen. Laws ch. 151B, §9, and Fed. R. Civ. P. 54(d)(2), Plaintiff John D. Cerqueira respectfully submits this Motion for Attorneys' Fees and Costs. Mr. Cerqueira prevailed at his trial on his claims under 42 U.S.C. § 1981 and Mass. Gen. Laws ch. 272 § 98 against American Airlines, Inc. ("AA"), and proved that AA discriminated against him on the basis of his perceived race, national origin and/or ethnicity. The Court entered Judgment in favor of Mr. Cerqueira on January 16, 2007 (Doc. 102).

Mr. Cerqueira requests an award of \$524,544.75 in fees, enhanced in any amount the Court deems appropriate, and \$19,299.06 in costs. In support of his Motion, Mr. Cerqueira relies on the accompanying Memorandum as well as the following materials:

- 1) Declaration of David S. Godkin;
- 2) Declaration of Michael T. Kirkpatrick;
- 3) Affidavit of Joseph F. Savage, Jr.;
- 4) Affidavit of Scott P. Lewis;
- 5) Declaration of Howard Friedman;

- 6) Declaration of Brian Wolfman;
- 7) Declaration of Benjamin Blustein;
- 8) Declaration of Robert S. Libman; and
- 9) Declaration of Joseph M. Sellers.

WHEREFORE, Mr. Cerqueira respectfully requests that his Motion for Attorneys' Fees and Costs be allowed and that Defendant be ordered to pay \$524,544.75 in attorneys' fees, enhanced in any amount the Court deems appropriate, and costs in the amount of \$19,299.06.<sup>1</sup>

Respectfully submitted,

**JOHN D. CERQUEIRA,**

By his attorneys,

/s/ David S. Godkin

David S. Godkin (BBO #196530)  
Darleen F. Cantelo (BBO#661733)  
Birnbaum & Godkin, LLP  
280 Summer Street  
Boston, MA 02210  
617-307-6100

Michael T. Kirkpatrick, Esq.  
Public Citizen Litigation Group  
1600 20<sup>th</sup> Street, NW  
Washington, DC 20009  
(202) 588-1000

ATTORNEYS FOR PLAINTIFF

/s/ Darleen F. Cantelo  
Darleen F. Cantelo

---

<sup>1</sup> The Plaintiff will separately file a Bill of Costs seeking costs taxable pursuant to 28 U.S.C. § 1920, and will file a Supplemental Motion for Attorneys' Fees and Costs seeking fees and costs incurred in connection with post-trial motions, the fee petition and any appeal.